

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the following remarks.

The Office Action objects to claims 40 and 41 for reciting the same subject matter as claims 12 and 13, respectively (see Office Action, section 2). Applicants respectfully submit that claims 12 and 13 depend from claim 1 via intervening claim 5, whereas claims 40 and 41 depend directly from claim 1. Claims 40 and 41 do not recite the limitations recited solely in claim 5, but claims 12 and 13 incorporate the limitations of claim 5 through dependency. Thus, claims 12 and 40 are not identical, and claims 13 and 41 are not identical. Withdrawal of the objections to claims 40 and 41 is warranted.

Claims 1, 2, 4, 5, 10, 12-14, 17, 19, 20, 40, 41, 43-45, 47-50, 53, and 54 stand rejected, under 35 USC §103(a), as being unpatentable over Saito et al. (US 2002/0172207) in view of Malki et al. (US 2001/0046223) and Inoue (US 2002/0036991). Claims 9, 16, 46, 51, and 52 stand rejected, under 35 USC §103(a), as being unpatentable over Saito in view of Malki, Inoue, and Sawada et al. (US 2002/0016858). The Applicants respectfully traverse these rejections as follows.

Claim 1 defines a radio communication management method in which a server sets a time for acquiring an authentication result by an authentication process. The Office Action acknowledges that Saito and Malki do not disclose this subject matter (see Office Action page 5, lines 1-2). To overcome this deficiency, the Office Action proposes that Inoue discloses this subject matter in paragraphs [0017], [0023], [0028], [0067], and [0133] (see page 5, second paragraph).

However, Inoue discloses that a gateway checks whether a mobile terminal is related to an illegal user when device identification information for the mobile terminal is not registered at the gateway (see Inoue paragraphs [0023] and [0028]). When the unregistered mobile terminal is not related to an illegal user, the gateway permits the unregistered mobile terminal to access a network and monitors this access (see paragraphs [0023] and [0028]). Additionally, Inoue discloses that a mobile terminal that has been authenticated may access the network (see paragraphs [0067] and [0133]), as proposed in the Office Action (see Office Action page 5, second paragraph).

However, Inoue's disclosure of enabling an unregistered/authenticated mobile terminal to access a network is not similar to the claimed subject matter of setting a time for acquiring an authentication result. The Office Action provides no findings of fact to support an inference that Inoue discloses the Applicants' claimed subject matter of setting a time for acquiring an authentication result.

Accordingly, the Applicants submit that the teachings of Saito, Malki and Inoue, even if combined as proposed in the Office Action, still would lack the above-noted feature of claim 1, and thus these references, considered individually or in combination, do not render obvious the subject matter defined by claim 1. Independent claims 14, 43, and 50 similarly recite the above-mentioned subject matter distinguishing method claim 1 from the applied references, although claims 43 and 50 do so with respect to apparatuses. Therefore, the rejections applied to claims 9, 14, 43, and 50 are obviated and allowance of claims 1, 14, 43, and 50 is deemed to be warranted. The dependent claims are allowable due to their dependence from an allowable dependent claim

and also due to their recitation of subject matter providing an independent basis for their individual allowability.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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